

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT VON MERTA,

No. C 12-4125 MMC

Plaintiff,

**ORDER VACATING NOVEMBER 9, 2012  
HEARING ON DEFENDANT'S MOTION  
TO DISMISS**

v.

ALLSTATE LIFE INSURANCE COMPANY,

Defendant

Before the Court is defendant Allstate Life Insurance Company's "Motion to Dismiss First Amended Class Action Complaint and Motion to Strike," filed October 2, 2012.

Plaintiff has filed opposition to the motion, to which defendant has replied. Having read and considered the papers filed in support of and in opposition to the motion, the Court deems the matter suitable for decision thereon, and hereby VACATES the hearing scheduled for November 9, 2012.

**IT IS SO ORDERED.**

Dated: November 7, 2012

  
MAXINE M. CHESNEY  
United States District Judge